

**In The United States District Court  
For The District of Puerto Rico**



**CRIMINAL MINUTES OF PROCEEDINGS:**

DATE: 12-09-2005

**BEFORE HON. GEORGE Z. SINGAL**

**CR. NO.: 00-158 (DRD)**

**COURTROOM DEPUTY: REBECCA AGOSTINI**

**COURT REPORTER: DIANNE BREAZ**

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**UNITED STATES OF AMERICA**

Attorney(s) for the Government:  
WARREN VAZQUEZ

**Vs.**

**FERNANDO GOMEZ-ROSARIO**

Attorney(s) for Defendant:  
FERNANDO GOMEZ (PRO-SE)  
LYYDIA LIZARRIBAR (STAND-BY  
COUNSEL)

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**Case called for Further Sentencing Hearing Pursuant to Mandate for Reconsideration of Sentence under Booker.** Fernando Gomez-Rosario addresses the Court requesting that he be allowed to have access to the law library where he is committed right now. Request is denied, but defendant is afforded the opportunity to make oral arguments. At this point, several oral motions are argued on the record. The Court determined that the issues to be discussed today are:

- If the Court could make and enhancement
- Request for reduction/Role Adjustment
- Perjury
- Use of a gun
- Downward departure

Defendant, as to obstruction of justice, calls to the stand Dr. Ganímedes Florian-Peña, and his testimony is heard. As to the other issues stated above, they are fully addressed and ruled accordingly, once again, by the Court.

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As way of allocution, defendant is heard. The Court, after hearing defendant and Government in this case, resentences defendant as follows: Defendant is committed to the custody of the Bureau of Prisons for a term of 121 Months. Upon release from confinement, defendant shall be placed on Supervised Release Term for a term of Three (3) Years. SMA of \$100.00 is imposed.

Defendant's Exhibit: 1 admitted once again. (This was admitted already on 11/4/2003) during sentencing hearing).

s/ Rebecca Agostini-Viana  
REBECCA AGOSTINI  
Courtroom Deputy Clerk